

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 42 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GOVINDBHAI LAKHABHAI PARMAR

Versus

STATE OF GUJARAT

Appearance:

MS SUBHADRA G PATEL for Petitioner
MR MR ANAND, PP with MR ND GOHIL, APP for
Respondent No. 1
SERVED for Respondent No. 3

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 03/02/97

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. M.R. Anand, Ld.
P.P. with Mr. N.D. Gohil, Ld. A.P.P. for the State.

2. Heard. Although the police report is against the
grant of second furlough to the petitioner on the ground

of likelihood of breach of peace. The allegation that no untoward incident had occurred during the first furlough has not been controverted. Besides, the petitioner has prayed for enjoyment of furlough at village Rena, Taluka Shahera, Dist. Panchmahals, a place at a distance of around 28 Kms. from Godhra, which is stated to be the place of offence.

3. Hence, in the facts of the case, this petition is granted. The petitioner's prayer for 2nd furlough shall be entertained on usual conditions in accordance with law within a period of two weeks from the date of receipt of writ of this direction.

4. The prayer for release on furlough only on personal bond is not entertained.

Rule made absolute only in the aforesaid terms.

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